

Provides a limitation of liability for any health care provider or health care personnel who renders or fails to render health care services, first aid, ambulatory assistance or transportation anywhere in the state in the course of and resulting from an evacuation, sheltering, transportation, or repopulation of a health care provider facility or a failed evacuation, sheltering, transportation or repopulation of a health care provider facility or care delivery provided during an evacuation, sheltering, transportation, or repopulation of a health care provider facility, during and as a result of a declared state of emergency, unless the damages are caused by gross negligence or willful and wanton misconduct.

Provides the following definitions for use in new law:

- (1) "Declared state of emergency" means the initial declaration of the governor, parish president, or a military or governmental authority and for no more than one 30 day renewal thereof.
- (2) "During a declared state of emergency" means during the time period as set forth in the initial declaration and shall also be retroactive to the precipitating event requiring the initial declaration of disaster or public emergency and for a period of 30 days following the end of the initial declared state of emergency.
- (3) "Health care provider" shall have the same meanings as set forth in R.S. 40:1299.41(A)(10) (medical malpractice) or R.S. 29:762(4) (Louisiana Health Emergency Powers Act).
- (4) "Health care personnel" means and includes all employees and volunteers of a health care provider facility licensed under Louisiana law, a mobile medical unit, and the officers, directors, shareholders, partners, members or managers of legal entities, who own or operate a health care provider facility, or as a health care licensee, who participate and assist in the evacuation, sheltering, care delivery, transportation, or repopulation of a health care provider facility.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 29:735.5)